

Calendar No. 15

82^D CONGRESS }
1st Session }

SENATE

{ REPORT
No. 14

EDULJI DINSHAW AND MRS. BACHOO DINSHA WORONZOW

JANUARY 17 (legislative day, JANUARY 8), 1951.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 58]

The Committee on the Judiciary, to which was referred the bill (S. 58) for the relief of Edulji Dinshaw and Mrs. Bachoo Dinsha Woronzow, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States of Edulji Dinshaw and Mrs. Bachoo Dinsha Woronzow upon payment of the required visa fees and head taxes. The bill also provides for the appropriate quota deductions.

STATEMENT OF FACTS

Edulji Dinshaw and Mrs. Bachoo Dinsha Woronzow, who are brother and sister, first entered the United States on October 15, 1939. Since that time they have maintained continuous residence in the United States except for short periods during which they have been temporarily absent on urgent business. Both beneficiaries of the bill have holdings in enterprises in various parts of the world and maintain continuous contact with persons who possess information which is of significance to the interests of the United States. Both beneficiaries are of the highest moral character and would make worthy citizens of the United States.

A letter dated December 15, 1950, addressed to the chairman of the Senate Committee on the Judiciary from Mr. Peyton Ford, Deputy

Attorney General, with reference to S. 4069, which was a bill introduced in the Eighty-first Congress for the relief of the same aliens, reads as follows:

DEPARTMENT OF JUSTICE,
Washington, December 15, 1950.

HON. PAT MCCARRAN,
*Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.*

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 4069) for the relief of Edjulji Dinshaw and his sister, Mrs. Bachoo Dinsha Woronzow, aliens.

The bill would provide that Edjulji Dinshaw and his sister, Mrs. Bachoo Dinsha Woronzow, shall be considered to have been lawfully admitted to the United States for permanent residence as of the date of their last entries, upon payment of the required visa fees and head taxes. It would also direct the Secretary of State to instruct the quota-control officer to deduct two numbers from the appropriate immigration quota for the first year that such quota is available.

The files of the Immigration and Naturalization Service of this Department disclose that Adjulji Dinshaw and Mrs. Bachoo Dinsha Woronzow, his sister, are natives and citizens of India, of the East Indian race, having been born in Bombay on October 23, 1916, and July 24, 1914, respectively. Edjulji Dinshaw was admitted to the United States at the port of New York on September 15, 1949, under section 3 (2) of the Immigration Act of 1924 for a period to expire on March 14, 1950. He has neither requested nor been granted an extension of his temporary stay beyond that date. His sister, Mrs. Woronzow, entered the United States at the port of New York on February 15, 1950, when she was admitted for a period of 3 months, subsequently extended until September 14, 1950. She applied for preexamination on June 21, 1950, which application was denied on the ground that she had not resided in the United States continuously for 1 year as required by regulations made under the immigration laws. Mrs. Woronzow testified that she departed from the United States on July 21, 1950, and reentered on November 10, 1950, at New York by airplane, when she was admitted as a temporary visitor for business until February 9, 1951. It appears that the brother and sister first entered the United States at New York on October 15, 1939, when they were admitted as temporary visitors for a period of 6 months. Both have reentered as temporary visitors several times. They presently reside in New York City, and neither has been employed while in the United States.

The files further reveal that Mrs. Woronzow testified that her correct name is Bachoo Bai Dinshaw, that she married Mr. Ramon Woronzoff-Dashkoff, a naturalized United States citizen, on March 24, 1947, while visiting in this country, and that she has no children. According to her statement, she obtained an annulment of her marriage, which will become final in January 1951, though the decision is being appealed.

The quota of India, to which the aliens are chargeable, is oversubscribed, and immigration visas are not readily obtainable. In this respect, their case is similar to those of many other aliens residing abroad who desire to obtain the benefits of residence in the United States but who are unable to obtain the prompt issuance of immigration visas because of the oversubscription of the quotas to which they are chargeable. There are no facts presented in their case to justify granting them preferential treatment over such other aliens by exempting them from the general quota requirements of the immigration laws.

Accordingly, the Department of Justice is unable to recommend enactment of this bill.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

A letter dated January 9, 1951, addressed to Senator Pat McCarran, the sponsor of the bill, from Mr. A. R. Mackey, Acting Commissioner, Immigration and Naturalization Service, with reference to S. 4069 of the Eighty-first Congress reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
OFFICE OF THE COMMISSIONER,
Washington 25, D. C., January 9, 1951.

HON. PAT McCARRAN,
United States Senate, Washington, D. C.

DEAR SENATOR McCARRAN: Reference is made to the cases of Edjulji Dinshaw and his sister, Mrs. Bachoo Dinsha Woronzow, on whose behalf you introduced a private bill in the Senate (S. 4069, 81st Cong., 2d sess.) to provide that the individuals shall be held to have been lawfully admitted to the United States for permanent residence for the purposes of the immigration and naturalization laws. We note that the bill passed the Senate on December 15, 1950.

Mr. Richard Arens, a member of the staff of the Senate Judiciary Committee, advised us that when the bill reached the House of Representatives the House Judiciary Committee refused to take any action on the ground that there was administrative relief available.

We have given very careful consideration to the records in these cases and it appears to us as a result thereof that no prima facie case of eligibility for administrative relief exists. The only provision of law which could have been considered in these cases is that found in section 19 (c) (2) of the act of February 5, 1917, as amended, relating to suspension of deportation of aliens who have resided in the United States for 7 years and who were so residing in this country on July 1, 1948. As previously stated we have been unable to find, prima facie, that such residence exists on the part of the individuals concerned. Based thereon it is our conclusion that the records do not disclose eligibility for any administrative relief.

It was believed that you would wish to have this information for your files and consequently we are pleased to furnish it to you.

Sincerely,

A. R. MACKAY,
Acting Commissioner.

It is the opinion of the committee that it is in the public interest to grant the beneficiaries of the bill the status of permanent residence.

The committee, after consideration of all the facts in the case, is of the opinion that the bill, S. 58, should be enacted.

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